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### **House Bill 4398 (As Passed House)**

**Topic:** Uniform Zoning Enabling Act  
**Sponsor:** Representative Elsenheimer  
**Co-Sponsors:** Representatives Walker, Gaffney, Moore, Stakoe, Hildenbrand, Garfield, Baxter, and Kahn  
**Committee:** House Local Government and Urban Policy  
**Date Introduced:** February 23, 2005

**Date of Summary:** May 16, 2005

The bill creates a new act and repeals the current zoning and planning enabling acts that regulate city, village, township, and county units of government. Most, if not all, of existing language is retained in this bill. A major benefit to DLEG is that existing language in the County Zoning Act (PA 183 of 1943) that requires the Department to review county zoning ordinances and amendments is eliminated.

Many of the state's planning and zoning enabling acts were adopted in the 1920's and have not been significantly changed. Public policy and the institutional structure for land use decision making in Michigan needs to reflect a growing population, multi-jurisdictional concerns, intergovernmental cooperation, and unique development and infrastructure issues.

This bill unifies Michigan's various enabling statutes and creates consistent application and decision-making in land use planning and zoning among cities, villages, townships, and counties. Instead of a patchwork of planning and zoning acts for each jurisdiction, all local units of government will be regulated uniformly.

This effort fulfills a major recommendation of the Michigan Land Use Leadership Council, which states "The Legislature should unify and modernize Michigan's four planning enabling acts and three zoning enabling acts consistent with the recommendations in this chapter" (Chapter 6).

Besides DLEG, other stakeholders at the state level include the Department of Natural Resources, the Department of Environmental Quality, the Department of Agriculture, the Department of Human Services, and the Department of Transportation. These agencies had the opportunity to review and participate in the work group discussions on this bill, up to and including Draft 3.